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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/812,280	03/29/2004	Seung-Min Park	678-1280 (P11401)	2265
28249	7590	10/20/2005	EXAMINER	
DILWORTH & BARRESE, LLP 333 EARLE OVINGTON BLVD. UNIONDALE, NY 11553			BROUSSARD, COREY M	
			ART UNIT	PAPER NUMBER
			2835	

DATE MAILED: 10/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

H.D

<b>Office Action Summary</b>	<b>Application No.</b> 10/812,280	<b>Applicant(s)</b> PARK ET AL.	
	<b>Examiner</b> Corey M. Broussard	<b>Art Unit</b> 2835	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 29 August 2005.
- 2a) ☐ This action is FINAL.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-3 and 5-8 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3 and 5-8 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

2. Claims 1, 3, 5, 7, and 8 are rejected under 35 U.S.C. 102(a) as being anticipated by Dickie (US Pub 2003/0041206). With respect to claim 1, Dickie teaches a cradle for a portable terminal comprising: a desk-top housing (104); a cradle housing (120) having a recess (see Fig. 3) for cradling the portable terminal (102, [0016] line 1), the cradle housing being mounted in the desk-top housing such that a lower portion (300) of the cradle housing is retractable within ([0023] lines 1-6) and protractible out from ([0022] lines 4-5) the desk-top housing; and an optical system (304, see [0024] lines 5-9) mounted within the cradle housing and emitting a beam in a predetermined direction, wherein the beam projects information from the portable terminal cradled within the cradle housing (the optical system mounted within the cradle housing and on the portable terminal inherently projects away from the portable terminal, see Fig. 3 and [0024]).

3. With respect to claim 3, Dickie teaches wherein the desk-top housing comprises a display unit (110), at least one key disposed adjacent to the display unit (114), and at least one lamp (124) disposed adjacent to the key and the display unit.

4. With respect to claim 5, Dickie teaches, wherein the optical system (310) is mounted within a side of the lower rear portion of the cradle housing (see Fig. 3).

5. With respect to claim 6, Dickie teaches wherein the optical system (304) is concealed in the desk-top housing when the cradle housing is retracted within the desk-top housing and is exposed when the cradle housing is protracted out from the desk-top housing (see Fig. 1, where the optical system is unconcealed, and Fig. 2, 3 where it is concealed).

6. With respect to claim 7, Dickie teaches wherein the cradle housing is rotatably mounted within the desk-top housing (see Fig. 3, the housing can rotate around various axis such as the latch 210 as seen in Fig. 3).

7. With respect to claim 8, Dickie teaches wherein only a rear section of the lower portion of the cradle housing is retractable within and protractible out from the desk-top housing (see Fig. 3, the latch side of portion 300 would extend outward when the latch is in an open position, see also [0023] 1-6).

### ***Claim Rejections - 35 USC § 103***

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Dickie (US Pub 2003/0041206) in view of Block et al. (PN 5,113,403). Dickie teaches the device as applied to claim 1 above, but lacks specific teaching of a laser beam projector. Block teaches a laser beam projector (110) for communicating data between electronic devices. It would have been obvious to a person of ordinary skill in the art to use the laser data transmission device of Block with docking cradle of Dickie for the benefit forming a high bandwidth wireless connection with the portable device when docked.

### ***Response to Arguments***

10. Applicant's arguments filed 7/21/2005 have been fully considered but they are not persuasive. With respect to claim 1, Applicant alleges that the beam cannot project from the portable terminal when the desktop housing conceals it. If the optical system is taken to be the IR receiver at the first end 304 of the portable terminal, then the beam from the optical system does in fact project from said portable terminal. The optical system is mounted on the portable terminal, which is mounted in the cradle housing; therefore the optical system is also mounted within the cradle housing.

11. With respect to claim 8, the Examiner maintains the rejection. See paragraph 0022 and 0023 of Dickie that clearly states that "a movable platform 300 is positioned within an opening of the docking cradle 120 ... and securely held in place by release latch 210" and "when the user wishes to dock the PDA 102, the user slides the latch 210 toward open position "open", which releases the platform 300." It is apparent that

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when the latch is moved to the open position, the spring 302 would bias the rear part of the platform 300 out from the desktop housing. The housing lip 306 would restrain the front end of the platform only allowing the rear section to protract out.

12. The Examiner withdraws the objection to the term "rotatably" since the applicant has provided in his arguments filed 7/21/2005 the definition to be used for said term.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Corey M. Broussard whose telephone number is 571 272 2799. The examiner can normally be reached on 7:30-5 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynn Feild can be reached on 571 272 2092. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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**ANATOLY VORTMAN  
PRIMARY EXAMINER**